

WEST ST. PAUL PLANNING COMMISSION

The regular meeting of the West St. Paul Planning Commission was called to order by Chair Hubert on Tuesday, May 19, 2015, at 7:00 p.m. in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota, 55118.

ROLL CALL

Commissioners present: Chair Hubert, Vice-Chair Leuer and Commissioners Fernandez, McPhillips, Nelson and Kavanaugh.

Also Present:

Civil Engineer Luke Sandstrom, Assistant Community Development Director Ben Boike, Council Liaison John Bellows, and Recording Secretary Trena Blume.

APPROVE MINUTES

ON MOTION of Leuer, seconded by McPhillips, RESOLVED to approve the West St. Paul Planning Commission meeting minutes of April 21, 2015 as written.

Ayes: 6 Nays: 0

Chair Hubert stated the order of the three cases will be changed up. Case # 15-05 will go first, then Case # 15-07 and lastly Case # 15-06.

PUBLIC HEARINGS

CASE # 15-05

Application for a Conditional Use Permit to allow an Early Childhood Learning Center in an I2 District at 1970 Christiansen Avenue.

Assistant Community Development Director Boike reviewed ISD 197's request for a Conditional Use Permit to allow an Early Childhood Learning Center in an I2 District at 1970 Christiansen Avenue. The applicant is proposing to lease the northern 27,166 square feet of the existing building (existing building totals 31,527 square feet).

Staff is recommending APPROVAL of the CONDITIONAL USE PERMIT for an EARLY CHILDHOOD LEARNING CENTER in an I2 District located at 1970 Christiansen Avenue subject to the four (4) conditions outlined below:

- 1) The applicant shall apply for applicable building permits.
- 2) All proposed signage must meet the provisions of Zoning Code Section 37 and the applicant shall apply for all applicable sign permits
- 3) The five closest parking stalls to the main door (excluding required handicap stalls) shall be signed as designated drop off and pick up stalls.
- 4) Hours for deliveries and trash pickup shall be limited to 7 a.m. to 10 p.m.

Commissioner Leuer asked what building is located directly behind the property. Assistant Community Development Director Boike said the building is used for Red Cross operations.

Commissioner Fernandez asked what separates the north side of the building from the Lafayette Oaks Townhouses. Assistant Community Development Director Boike replied the parking lot extends to the property line which meets up to some green space.

Commissioner Fernandez asked if there is a proposal to build a fence. Assistant Community Development Director Boike said that no fence is being proposed but a playground will go in.

Chair Hubert asked if there was a representative for the applicant. David Langer, Commercial Real Estate Broker stood up to speak and replied he is working with and representing the school district.

Commissioner McPhillips asked Mr. Langer if the facility would be used year round. Mr. Langer said the facility would be used year round but during the summer months it wouldn't be as busy.

Commissioner Kavanaugh asked about bus drop off plans and Mr. Langer replied the buses would come in from the south, head north and drop off at the front doors.

Commissioner Kavanaugh asked if this facility is a shared tenant building. Mr. Langer said the facility is a multi-tenant building.

Commissioner Leuer asked how many students are expected to use the facility. Mr. Langer said 150 – 200 depending on the season and what programs are running.

Public Hearing

Chair Hubert opened the Public Hearing at 7:12 p.m. and since there were no audience members standing up he closed the Public Hearing at 7:12 p.m.

ON MOTION by McPhillips, seconded by Fernandez, the Planning Commission recommended approval of Case #15-05, the Application for a Conditional Use Permit to allow an Early Childhood Learning Center in an I2 District at 1970 Christiansen Avenue subject to the four conditions listed.

Ayes: 6 Nays: 0 Abstain: 0

The application goes to Council for consideration on Tuesday, May 26, 2015 at 6:30 p.m.

CASE # 15-07

**Application for a
Conditional Use Permit to
allow a Dental Clinic
(Midwest Dental) in a B4
District located at 1903
South Robert Street
(Southview Square
Shopping Center).**

Assistant Community Development Director Boike reviewed the application for a Conditional Use Permit to allow a Dental Clinic (Midwest Dental) located in a B4 District at 1903 South Robert Street (Southview Square Shopping Center). The applicant is proposing to lease 2,919 square feet formerly occupied by Quiznos.

Staff is recommending APPROVAL of the CONDITIONAL USE PERMIT to allow a DENTAL CLINIC in a B4 District located at 1903 South Robert Street subject to the three (3) conditions outlined below:

- 1) The applicant shall apply for applicable building permits.
- 2) All proposed signage must meet the provisions of Zoning Code Section 37 and the applicant shall apply for all applicable sign permits.
- 3) Hours for deliveries and trash pickup shall be limited to 7 a.m. to 10 p.m.

Chair Hubert asked if the Commissioners had any questions for Assistant Community Development Director Boike and since there were none asked if there was a representative for the Dental Clinic in the audience.

Nick Schorr, the General Contractor for Midwest Dental, came forward and explained the lease is up and the clinic wants to move to a better location.

Public Hearing

Chair Hubert opened the Public Hearing at 7:17 pm and since there were no audience members standing up he closed the Public Hearing at 7:17 p.m.

ON MOTION by Leuer, seconded by Kavanaugh, the Planning Commission recommended approval of Case #15-07, the Application for a Conditional Use Permit to allow a Dental Clinic in a B4 District located at 1903 South Robert Street (Southview Square Shopping Center) subject to the three conditions listed.

Ayes: 6 Nays: 0 Abstain: 0

The application goes to Council for consideration on Tuesday, May 26, 2015 at 6:30 p.m.

CASE # 15-06
SCA Properties, LLC is
requesting multiple
approvals for the
development of a new 4-
story, 164-unit Senior
Assisted Living Facility
located at 1746 Oakdale
Avenue.

1-Assistant Community Development Director Boike reviewed the Application for Rezoning. The applicant is requesting all of the property be rezoned as a PRD, Planned Residential Development in order to provide the necessary flexibility to maximize the most efficient use of the land.

Staff is recommending APPROVAL of the REZONING APPLICATION of 1746 Oakdale Avenue from R4, Multiple Family Residential to PRD, Planned Residential Development (PRD) with R4, Multiple Family Residential underlying zoning subject to the following condition:

- 1) Council approval of the corresponding Use Permit, Site Plan, and Plat applications.

Commissioner Nelson asked if the property will remain a PRD or could it change in the future. Assistant Community Development Director Boike said it would remain a PRD.

2-Assistant Community Development Director Boike discussed the Conditional Use Permit Application to allow an Assisted Living Facility in the R4, Multiple Family District. Staff believes the proposed Use is ideal for the site based on the zoning for the property.

Staff is recommending APPROVAL of the CONDITIONAL USE PERMIT to allow a RETIREMENT HOME/NURSING HOME (ASSISTED LIVING) IN AN R4, Multiple Family Residential District at 1746 Oakdale Avenue subject to the following conditions:

- 1) Council approval of the corresponding Rezoning, Site Plan and Plat applications.
- 2) Hours for deliveries and trash pickup shall be limited to 7 a.m. to 10 p.m.
- 3) On-street parking is prohibited on Oakdale Avenue as parking is not currently allowed in the street. Should on-street parking be allowed in the future, parking will be allowed at that time.

3-Assistant Community Development Director Boike reviewed the Site Plan Application to allow construction of a 4-story, 164-unit Assisted Living Facility on the 5.10 acre subject property. The proposed building will include 140 general assisted living units and 24 special needs units. The building will also include underground parking (29 stalls) and outdoor patio areas off the rear of the building (east side).

Staff is recommending APPROVAL of the SITE PLAN for the development of 1746 Oakdale Avenue subject to the following conditions:

- 1) Council approval of the corresponding Rezoning, Conditional Use Permit and Plat applications.
- 2) The applicant shall apply for all applicable building and sign permits. All proposed signage must meet requirements of Section 37 of the Zoning Ordinance.
- 3) Upon application of a building permit, the applicant shall provide the following:
 - a) an irrigation plan. All landscaping is required to be irrigated per Section 5.8(4) of the Zoning Ordinance.
 - b) A revised lighting plan depicting all lighting levels at the property lines. All lighting levels abutting residential property lines are required to be at zero-foot candles.
 - c) An elevation of the proposed retaining wall. Said wall shall be comprised of materials similar to the materials utilized on the building.
- 4) Per Zoning Ordinance Section 5.8(4)(f), screening is required between multi-family residential and single-family residential. However, the City will not require the installation of screening at the time of construction. The Planner will review the project one year after approval to determine if screening is needed. If so required by the Planner, the applicant shall install up to a six-foot maintenance free privacy fence directly adjacent to the north property line in appropriate locations to provide adequate screening of the neighboring homes.
- 5) The applicant shall adhere to the requests of the Dakota County Plat Commission. The applicant shall work with Staff to revise the site plan should changes be required.
- 6) On sheet C2.0 change "City standards" to "County standards" regarding bituminous public trail.
- 7) On sheet C3.0 there are two areas that are currently at a slope that is greater than 3. To 1. The City does not allow

final grading that is greater than 3 to 1. Either lessen the slope or install a retaining wall.

- 8) On sheet Cr4.0:
 - a) Cleanouts are required every 100 feet on sanitary sewer lines. Show these cleanouts on the plans.
 - b) Include language referring to County and City Standards for design standards and specifications.
 - c) Include details for manholes, catch basins, sewer lines, etc. Include County details for any structures in County Right of Way.
 - d) Pedestrian ramps and truncated domes are required for the trail crossing the entrance.
- 9) On sheet Sw1.1 some of the inlet protection notation is not shown in the correct locations.
- 10) Parkland dedication shall be paid upon application of a building permit. Fee shall be in accordance to City Ordinance, Section 1022.11.
- 11) Permits from the appropriate regulatory agencies must be obtained, including but not limited to the MPCA, Dakota County, etc.
- 12) Comply with City requirements for the storm sewer design. The storm sewer must be designed for a 10 year, 24 hour storm event.
- 13) Revisions to the Storm Water Management Report will be necessary.
- 14) Fire apparatus access turn around for the proposed building as shown, does not meet code.
 - a) Approved fire apparatus access roads shall be provided for every facility, building or portion of a building here after constructed or moved into or within the jurisdiction. The fire apparatus access road shall extend to within 150' of all portions of the facility and all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. JSFC 503.1.1.
 - b) Dead-end fire apparatus access roads in excess of 150' in length shall be provided with an approved area for turning around fire apparatus. MSFC 503.2.5. The design shown on the current plans is an acceptable alternative to the 120' hammerhead, however, the lane used to turn the fire apparatus around is required to be at least 70' in length and the road must extend 60' beyond the center of the turnaround lane.

Chair Hubert wanted to go over recommendations from Luke Sandstrom, Civil Engineer. Mr. Sandstrom reviewed the eight (8) recommended conditions pertaining to the Site Plan.

Commissioner Leuer asked if the ponds were going to be dry or wet. The applicant replied they will be filtration based dry ponds.

Commissioner McPhillips asked how trucks are going to back in there. The applicant explained the route on a map provided.

Commissioner Fernandez asked if there are going to be specific times for deliveries. Assistant Community Development Director said the guidelines come from the noise ordinance which states deliveries can be made between the hours of 7 a.m. and 10 p.m.

Commissioner Nelson asked if snow removal has been discussed. Assistant Community Development Director Boike said that subject has not yet been discussed but later in the meeting we should talk about what the applicant is planning.

Commissioner Leuer asked about parking stall depths. Assistant Community Development Director Boike replied with a facility this large it is best to have the stalls at a 20" depth for the driving aisle and ease of backing in/out but it will be discussed in more detail with the consultant hired to review the zoning design.

Commissioner McPhillips asked about the amount of stalls and handicapped parking spots. Assistant Community Development Director Boike said the code is one stall per 25 units. Most residents will not have a car so the stalls will mainly be for visitors.

4-Assistant Community Development Director Boike went over the Platting Application which is needed since the existing property was not previously platted and the City is requiring that the applicant plat the property.

Staff is recommending APPROVAL of the PRELIMINARY / FINAL PLAT for 1746 Oakdale Avenue subject to the following conditions:

- 1) Council approval of the corresponding Rezoning, Conditional Use Permit, and Site Plan applications.
- 2) The applicant shall adhere to the requests of the Dakota County Plat Commission. The applicant shall work with

Staff to revise that plat should changes be required.

- 3) The Final Plat shall be recorded prior to application of a building permit.

Chair Hubert asked if there were any questions and since there were none asked if the applicant was here. Mindy Michael, Architect, gave a brief description of the type of use the facility would be used for and to what extent.

Ms. Michael replied the project is a general assisted living building with 148 units and 24 units reserved for residents that may require a higher level of assistance.

Commissioner Fernandez asked if the development is done with the help of HUD money in which Ms. Michael replied it is not a HUD home but in fact financed through tax credits.

Commissioner Fernandez also asked what this type of facility has for visiting hours. Ms. Michael said the hours at this type of facility are usually pretty flexible.

Commissioner Fernandez asked about parking and how many residents would have a car and wondered where the clients are coming from? Another facility? Waiting lists? And, are these people staying here or wanting to walk somewhere? Ms. Michael said the average age is 84 – 85 and they are less likely to walk around.

Commissioner McPhillips asked if these units are fully contained and Ms. Michael said they are supplied a small kitchen with a refrigerator and a sink but there is a commercial size kitchen where their meals could be provided for them. She also replied the studio and special needs apartments are 480 square feet and the one-bedroom apartments are 560 square feet.

Commissioner Nelson asked as far as the parking goes, is there enough room for the cars to maneuver. Mc. Michel said the Civil Engineer, Matt Pavek just confirmed it was wide enough for two way traffic full circle and Assistant Community Development Director Boike also confirmed the minimum two way drive aisle requirement is 22-feet which is what is proposed and the minimum width for a fire lane is 20 feet so they are in compliance.

Chair Hubert asked about patios and Ms. Michael said only the

dining room has a patio off of it and the special needs area has their own private outdoor space.

Public Hearing

Chair Hubert opened the Public Hearing at 7:56 p.m.

Maureen Nelson, 1706 Oakdale Avenue voiced her concerns regarding fences, lighting and foot traffic.

Milt Karnick, 1680 Oakdale Avenue asked questions regarding trees on the north side of the property development and also the storm water drainage on the east side of the building. Civil Engineer Pavsek discussed the ten-year storm water design plan and answered any questions Mr. Karnick had.

Chair Hubert closed the Public Hearing at 8:06 p.m.

Commissioner Fernandez expressed his concern with the project and since the developer is not in attendance at tonight's meeting and because he has so many more questions to be answered regarding the second most largest untouched area left in West St. Paul, he said his vote would be no tonight. Assistant Community Development Director Boike said any change of use or modification to the building would have to come back and be reviewed the same as the current proposal. Also, Ms. Michael said the likelihood of this facility changing to a regular apartment building is very slim to none. It will always be an assisted living facility.

Chair Hubert asked Assistant Community Development Director Boike to address some of Maureen Nelson's concern especially the fence and the time frame involved for the project. One year from approval is the standard amount of time given. Ms. Michaels said the time frame for a building this size is about 12-13 months. Assistant Community Development Director Boike thought the language could change to "the Planner will review the project one year after occupancy of the building to determine if screening is needed."

Chair Hubert asked about the lighting and Assistant Community Development Director Boike replied the closest lighting would be directional about 20 – 25 feet from the sidewalks and driveway to the underground parking garage and the grid of lighting levels will

be at zero all along the property lines and beyond the property lines.

Chair Hubert asked about the foot traffic on the walking path, where it is going and if it is in the plans currently. Assistant Community Development Director Boike said to prevent foot traffic coming from the apartment building to put some screening up on the south side of the property line.

ON MOTION by Leuer, seconded by Kavanaugh, the Planning Commission recommended approval of the Rezoning Application to rezone from R4, Multiple Family Residential to a PRD, Planned Residential Development with R4, Multiple Family Residential underlying zoning subject to the condition listed.

Ayes: 5 Nays: 1 Abstain: 0

This application goes to Council for consideration on Tuesday, May 26th, 2015.

ON MOTION by Leuer, seconded by Kavanaugh, the Planning Commission recommended approval of the Conditional Use Permit to allow a RETIREMENT HOME/NURSING HOME (ASSISTED LIVING) IN AN R4, Multiple Family Residential District at 1746 Oakdale Avenue subject to the three (3) conditions listed plus an additional condition that if they ever change the designation of the living units they must come to the City for approval.

Ayes: 5 Nays: 1 Abstain: 0

This application goes to Council for consideration on Tuesday, May 26th, 2015.

ON MOTION by Kavanaugh, seconded by Leuer, the Planning Commission recommended approval of the Site Plan Application #'s 1-14 as listed and to change #15 to read “the Planner will review the proposal one year after occupancy at the request of the property owner” and #15 be added to say screening may be added to the south side of the property.

Ayes: 4 Nays: 2 Abstain: 0

This application goes to Council for consideration on Tuesday, May 26th, 2015.

ON MOTION by Leuer, seconded by Kavanaugh, the Planning Commission recommended approval of the Preliminary / Final Plat Application subject to the listed conditions.

Ayes: 5 Nays: 1 Abstain: 0

This application goes to Council for consideration on Tuesday, May 26th, 2015.

NEW BUSINESS:

Assistant Community Development Director Boike spoke regarding a Joint City Council and Planning meeting on Monday, June 29th, 2015. He mentioned working with a consultant on updating the Robert Street Renaissance Plan. This is a vision for private development adjacent to Robert Street. This plan is about fifteen years old and it was time to revisit it. The original plan separates the Corridor into three different areas. Right now there is only one design standard for all three areas even though they are uniquely different. The three areas are North Gateway, North end of Robert Street and Signal Hills as well as the Town Center area. Chair Hubert asked if he could send an e-mail on the meeting to everyone on the Planning Commission.

OLD BUSINESS:

Assistant Community Development Director Boike reminded everyone that a discussion has been taking place the last couple of months and the Environmental Committee is still looking for someone to step up and help out that first Wednesday of every month from 5:30 – 7:00 p.m.

Commissioner Fernandez expressed interest but the time frame just doesn't work for him. Commissioner Kavanaugh asked if the position could be a rotating schedule of Commissioners but both Council Liaison Bellows and Assistant Community Development Director Boike expressed a concern with that because not only having the same individual is a huge benefit to the committee but they do need someone to be on time for the meetings. Commissioner Fernandez said he is on the fence right now and everyone agreed that it is a step in the right direction.

ADJOURNMENT:

ON MOTION of Leuer, seconded by McPhillips, Commissioners RESOLVED to ADJOURN the May 19, 2015 regular meeting of the Planning Commission at 8:34 p.m.

All Ayes. 6/0

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